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**OFFICE OF PETITIONS**

In re Application of :  
Clemens Croy et al :  
Application No. 09/439,838 : **ON PETITION**  
Filed: November 12, 1999 :  
Attorney Docket No. 003393.P002X :

This is a decision on the petition under 37 CFR 1.137(b), filed March 28, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 10, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on July 11, 2001.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

The application file is being forwarded to Technology Center AU 2173.

*Wan Laymon*

Wan Laymon  
Petitions Examiner

Office of Petitions

Office of the Deputy Commissioner  
for Patent Examination Policy